

Before the
Federal Communications Commission
Washington, DC

In the Matter of:

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|--|---|----------------------|
| Closed Captioning of Internet |) | |
| Protocol-Delivered Programming: |) | |
| Implementation of the Twenty- |) | MB Docket No. 11-154 |
| First Century Communications |) | |
| and Video Accessibility Act of |) | |
| 2010 |) | |

Motion for Leave to Supplement Petition for Reconsideration

Pursuant to 47 C.F.R § 1.429(d), Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI), the National Association of the Deaf (NAD), the Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN), the Association of Late-Deafened Adults (ALDA), the Hearing Loss Association of America (HLAA), and the Cerebral Palsy and Deaf Organization (CPADO), collectively, “Consumer Groups,” and the Technology Access Program at Gallaudet University (TAP) respectfully request that the Commission consider the *Report on the State of Closed Captioning of Internet Protocol-Delivered Video Programming and Video Clips*, filed today in MB Docket No. 11-154 (“*Report*”) by the Consumer Groups, TAP, and the California Coalition of Agencies Serving the Deaf and Hard of Hearing (CCASDHH), as a supplement to our April 27, 2012 petition for reconsideration (“*Consumer Groups PFR*”) of the Commission’s *Report and Order* in the above-captioned proceeding (“*IP Captioning Order*”).¹

The *Report* documents various findings regarding the current state of closed captioning on Internet Protocol (“IP”)-delivered video programming. More specifically,

¹ *Closed Captioning of Internet Protocol-Delivered Video Programming, Report and Order*, 27 FCC Rcd. 787 (Jan. 13, 2012) (“*IP Captioning Order*”); *Petition for Reconsideration of Telecommunications for the Deaf and Hard of Hearing, et. al.*, MB Docket No. 11-154 (April 27, 2012) (“*Consumer Groups PFR*”).

the *Report* contains new information regarding the captioning of IP-delivered video clips that has come to light since the *IP Captioning Order*—and was not available at the time it was issued.² We believe this information will aid the Commission in its consideration of the *Consumer Groups PFR*.

Section 1.429(d) permits the Commission to consider a supplement to a petition for reconsideration filed more than 30 days from the public notice of the underlying action “pursuant to a separate pleading stating the grounds for acceptance of the supplement” and upon a finding of good cause.³ The *Report* satisfies the Commission’s standard for supplemental filings because it reports “new facts that may affect the outcome” of the *Consumer Groups PFR* that were not available when the *IP Captioning Order* was issued.⁴ Accordingly, we respectfully urge the Commission to grant this motion and review the *Report* in considering the *Consumer Groups PFR*.

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/s/

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May 16, 2013

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² *Report* at 5-13, 18-20.

³ 47 C.F.R. § 1.429(d); see *Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, Memorandum Opinion and Order*, 23 FCC Rcd. 86, 89 at ¶ 8 (MB 2008).

⁴ *Id.*

Cc:

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Commissioner Jessica Rosenworcel

Commissioner Ajit Pai

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